

A Resolution

NO. _____

APPOINTING CERTAIN MEMBERS TO THE BOARD OF DIRECTORS OF TAX INCREMENT REINVESTMENT ZONE NUMBER THREE, CITY OF FORT WORTH, TEXAS; ACKNOWLEDGING THE APPOINTMENT OF THE OTHER CURRENT MEMBERS OF THE BOARD AND APPOINTING A CHAIRPERSON FOR THE BOARD (DOWNTOWN TIF)

WHEREAS, the City Council of the City of Fort Worth (the “City Council”) previously adopted Ordinance No. 12324 creating Tax Increment Reinvestment Zone Number Three, City of Fort Worth, Texas (the “Reinvestment Zone”); and

WHEREAS, Ordinance No. 12324 provides that the Reinvestment Zone is to be overseen by a nine (9)-member Board of Directors (the “Board”), of which one (1) member is the State Senator whose district lies within the Reinvestment Zone or a designee; one (1) member is the State Representative whose district lies within the Reinvestment Zone or a designee; the Fort Worth Independent School District, Tarrant County College District, and Tarrant County, if they have elected to contribute tax increment to the Reinvestment Zone, may appoint one (1) member each; and the City Council has the right to appoint all remaining members; and

WHEREAS, House Bill 2853, which was passed by the 82nd Texas Legislature and took effect on June 17, 2011, amended Section 311.009 of the Texas Tax Code regarding the appointment of members to the Board of tax increment reinvestment zones and prevails over any conflicting provision of Ordinance No. 12324; and

WHEREAS, pursuant to Section 311.009(b) of the Texas Tax Code, as amended by House Bill 2853, all taxing units other than the City that have elected to contribute tax increment to the Reinvestment Zone now have the right to appoint one (1) member each to the Board; and

WHEREAS, pursuant to Section 311.009(b) of the Texas Tax Code, as amended by House Bill 2853, the size of the Board remains nine (9) members; therefore, for each taxing unit that has now gained the right to appoint a Board member, the City Council will lose the right to make an appointment; and

WHEREAS, pursuant to the provisions of House Bill 2853, and taking into account appointments to the Board that have been made by the taxing units who have exercised their rights to appoint a member, only two (2) City Council-appointed Board members may continue to serve; and



WHEREAS, Section 311.009(c) of the Texas Tax Code provides that Board members shall be appointed for a term of two (2) years unless otherwise indicated; and

WHEREAS, the City Council has the right, at any time and for any reason, to appoint an individual to the Board to replace any current member appointed by the City Council for the remainder of that person's term; and

WHEREAS, Section 311.009(f) of the Texas Tax Code provides that the City Council must appoint one (1) member of the Board to serve as the Board's chairperson for a term of one (1) year beginning January 1 of the year:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS, THAT:

1. The City Council hereby acknowledges that the following persons have been appointed to the Board by the following entities for terms expiring on the dates indicated below:

<u>NAME</u>	<u>APPOINTING ENTITY</u>	<u>EXPIRATION OF TERM</u>
Zim Zimmerman	City of Fort Worth	December 31, 2013
Joel Burns	City of Fort Worth	December 31, 2013
Carlos Vasquez	Fort Worth ISD	December 31, 2014
Roy C. Brooks	Tarrant County	December 31, 2014
Mark McClendon	Tarrant County College District	December 31, 2013
Scott Rule	Tarrant County Hospital District	December 31, 2013
Victor Henderson	Tarrant Regional Water District	December 31, 2014
Nicole Collier	State Representative	December 31, 2014
Charles Boswell	State Senator	December 31, 2013

2. The City Council hereby appoints Zim Zimmerman as the Board's chairperson for calendar year 2013.
3. The City Council hereby reserves the right, at any time and for any reason, to remove a Board member appointed by the City Council and to appoint individuals to the Board to replace any of the City Council-appointed Board members.



AND IT IS SO RESOLVED.

ADOPTED this 8th day of January, 2013

ATTEST:

By: _____

Mary Kayser, City Secretary

